

April 19, 2010 - Regular Town Council Meeting

At a Regular Meeting of the Town Council of the Town of Middletown, RI, held at the Middletown Town Hall on Monday, April 19, 2010 at 7:00 P.M.

Vice Chairman Richard Cambra, Presiding

Councillor Frank A. Bozyan

Councillor M. Theresa Santos

Councillor Edward J. Silveira, Jr.

Councillor Robert J. Sylvia

Councillor Barbara A. VonVillas, Members Present

Council President Christopher T. Semonelli, Absent

CONSENT CALENDAR

1. Approval of Minutes – Special Meeting, April 5, 2010.

On motion of Councillor Bozyan duly seconded, it was voted unanimously to approve said minutes.

2. Approval of Minutes – Regular Meeting, April 5, 2010.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to approve said minutes.

3. Memorandum of Town Administrator, with enclosures, re: Tax Collector's Report for period ending March 31, 2010.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to receive said memorandum and report.

4. Notice of Public Hearings two (2) from the Zoning Board of Review, both Petitions from the City of Newport Water Department, 43 Broadway, Newport, RI, owner - Metro PCS- 285 Billerica Road, Chelmsford, MA, applicant by their attorney Jackie Slaga, Esquire, 95 Indian Terrace, Saunderstown, RI - 1) For a Variance from Article 25 Section 2504A to allow the construction of a new 75 foot tall wireless telecommunication facility (flagpole monopole) capable of accommodating 2 carriers where a capacity of 5 carriers is required. 2) For a Special Use Permit under Article 25 to allow the construction of a new 75 foot tall wireless telecommunication facility (flagpole monopole) and a 40' x 40' fenced equipment compound. Said real estate located at 219 Reservoir Road, TAP 121NW, Lot 73.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to receive said notices.

5. Resolutions from Rhode Island Cities and Towns, re: Requesting support for proposed legislation, RIDE Funding Formula and Returning America's Cup challenge to Newport. (See Attached List with enclosures)

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to receive said resolutions.

6. Application of Kevin Skelly dba K & S Novelty, Providence, for RENEWAL of Peddlers License (Balloons and Novelties) for May 2, 2010 Police Parade. (5 Vendors)

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to grant said license renewal.

7. Applications three (3) of Second Beach Partners, LLC dba Surf Side Grill, Second Beach, for RENEWAL of Hawker's Licenses for the 2010-2011 licensing year.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to grant said license renewals.

8. Application of Peter M. Kelly dba Peter Kelly's Ice Cream, Portsmouth, for RENEWAL of a Peddlers License for the 2010-2011 licensing year.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to grant said license renewal.

TOWN COUNCIL

Councillor Silveira recused himself from acting on the following item of business, due to a possible conflict of interest, business related.

1. Application of Sotiria M. Crea dba Rhea's Café, 36 Aquidneck Avenue, for a Victualling House License for the 2009-2010 licensing year. (NEW)

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to grant said license, contingent on Building Official, Fire Marshal, Board of Health and Public Works approvals.

2. Memorandum of Town Administrator, with enclosures, re: General Obligation Refunding Bonds, Series 2010-Authorization to issue.

On motion of Councillor Silveira, duly seconded, it was voted unanimously to receive said memorandum.

Stephen Maceroni, Vice President of FirstSouthwest addressed the Council reviewing the Refunding proposal entered here:

3. Resolution of the Council, re: Authorizing the Issuance of General Obligation Refunding Bonds.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to pass said resolution.

4. Report by Tina Dolen, Executive Director, Aquidneck Island Planning Commission, re: Presentation to Council of grant award from AIPC and update of AIPC projects.

Tina Dolen, Executive Director of the Aquidneck Island Planning Commission, addressed the Council introducing new staff member Chris Witt, Director of Planning and Communications, for the AIPC. Ms. Dolen also noted that the AIPC has hired Taylor Rock as Energy Coordinator. Executive Director Dolen was pleased to announce that the AIPC has given the Town of Middletown a \$20,000 grant for projects relating to the reuse of surplus Navy lands and reviewed

upcoming events within the Aquidneck Island Planning Commission entered here:

On motion of Councillor Bozyan, duly seconded it was voted unanimously to receive said report.

5. Memorandum of Town Planner, re: 2010 RIDEM Non-point Source Grants.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to receive said memorandum.

6. Resolution of the Council, re: Authorizing submission of 2010 RIDEM Non-point Source Grants.

On motion of Councillor Bozyan, duly seconded, it was voted

unanimously to pass said resolution.

7. Request of Rich Wolfe, Project Manager, Narragansett Bay Coyote Study, re: Presentation to the Council for Best Management Practices for Coexistence with Coyotes on Aquidneck and Conanicut Islands.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to receive said request.

8. Resolution of the Council, re: In Support of Encouraging the Return of the 34th America's Cup Challenge to Newport, Rhode Island.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to pass said resolution.

9. Appointment of one (1) member to the Zoning Board of Review, third alternate, for a term expiring April 2011.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to appoint Frank Flanagan as third alternate for the Middletown Zoning Board of Review for a term expiring April 2011.

10. Appointment of one (1) member to the Open Space and Fields Committee for a term expiring November 2011.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to appoint Denise D'Amico to the Open Space and Fields Committee for a term expiring November 2011.

11. Appointment of thirteen (13) members to the Committee for the Arts; ten (10) members of the community, one (1) non-voting member for a “student in Art or Government”, one (1) member for the School’s

Fine Art Department and one (1) member for Council Liaison; term limits to be set.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to appoint Diane Andrews, Amy Lynn Cordeiro, Dianna Campagna Skaggs, Carol Cummings, Carmela Greer, Lisa Hansel, Diane Kerins, Nancy D. McAuliffe, Linda Phelan and Susan Woythaler as Community members for a term expiring April 2011 and appoint Vice Chairman Cambra as Council Liason.

Councillor Bozyan noted that School Superintendent Rosemarie Kraeger will appoint one (1) non-voting member for a “student in Art or Government” and one (1) member from the School’s Fine Art Department.

PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town

business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

No one addressed the Council at this session.

ADDENDUM TO TOWN COUNCIL AGENDA

POSTED – APRIL 16, 2010

REGULAR MEETING – APRIL 19, 2010

Executive Session Pursuant to provisions of RIGL, Sections

42-46-2.,42-46-4. and 42-46-5. (a) (5) Land Acquisition (Linden Park) and (5) Land Acquisition (Green End Avenue/Valley Road Intersection).

On motion of Councillor Santos, duly seconded, it was voted unanimously to recess this meeting at 7:25 P.M. and reconvene in executive session.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to reconvene this meeting in open session at 8:10 P.M.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to continue the land acquisition (Linden Park) to the next regular meeting of the Council to be held on May 3, 2010.

On motion of Councillor Bozyan, duly seconded, it was voted

unanimously to approve the land acquisition Green End Avenue/Valley Road.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to seal the minutes of the executive session pursuant to Section 42-46-7.

On motion of Councillor Bozyan, duly seconded, it was voted unanimously to adjourn this meeting at 8:15 P.M.

Wendy J.W. Marshall, CMC

Council Clerk

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